

Senator Casperson
705 Farnum Bldg
P.O. Box 30036
Lansing, MI 48909

April 13, 2014

Dear Senator Casperson,

My understanding is that while working with local investors you introduced an amendment to the 1994 public act 451 NREPA, part 201 that deals with relocation of soils and stampsand/slag. It appears that the only purpose of this amendment is to classify stamp sand and slag as non-toxic or hazardous materials.

This seems like a self serving request and not in the best interest of the public for the following reasons:

1. **This EPA Superfund Site**, while being delisted by the EPA, is still being cleaned up by MDEQ. Also, the EPA has an on- going responsibility to monitor the Site. "Deletion does not mean EPA will have nothing further to do with the parcels. The Agency will be reviewing the parcels every five years to make sure the cleanup continues to protect human health and the environment. And, if it becomes necessary, EPA can perform further cleanup actions on the parcels and even relist them." <http://www.epa.gov/region5/cleanup/torchlake/>
2. **The Michigan Department of Community Health** has reported in their recent study of *Exposure During Outdoor Activities* in the superfund site that "levels of chemicals (such as arsenic, lead and copper) varied widely, ranging from very low to higher than levels considered safe: however, there were not enough samples to determine if average chemical levels that people might be exposed to could harm people's health, and additional information is needed". The logical conclusion is that public health cannot be guarantee or the area listed as safe in regards to potential health hazards.
3. **Researchers at Michigan Technological University** have been working with the MDEQ on the recent discovery of PCB that has migrated to the stamp sands and perhaps to the water. See MTU's website below for more information:
<http://www.mtu.edu/greatlakes/research/opportunities/>
4. **Asbestos** has resurfaced on at least one public beach according to MDEQ.
5. The **local investors** have a very personal need to have the Torch Lake Site appear to be safe since they are heavily promoting it for "MAJOR WATERFRONT DEVELOPMENT OPPORTUNITY.
6. See website: http://www.upwaterfront.com/listings/?listing_id=5075#UxZzRdzns0o

An excerpt from the website reads as follows:

The scale and quality of the inland waterfront assembled at Torch Lake is breathtaking. Its size and location suggest a major developer, one with imagination, reach, and power.

When the amenities are built to convert this land from a local attraction to a regional or national destination, probably with a substantial yacht harbor and marina, it will offer an amazing supply of waterfront land to sell over a period of years at ever increasing prices.

The property includes 7 miles of frontage on Torch Lake, a 2,659-acre natural lake with water depth to 120 feet. Torch Lake is a six miles long lake with direct, deep water access to Lake Superior via a two mile long abandoned lake freighter channel constructed in 1875. Most of its 1,600 acres has views over the lake. The location is halfway up the 75-mile long Keweenaw Peninsula, which juts 70 miles into Lake Superior in Michigan's Upper Peninsula. The project is just seven miles from the twin cities of Houghton (which was recently voted one of the top 100 small towns in America), and Hancock with a combined population of 11,247

*EPA covered the stamp sand on the western shore of the lake with clean fill and built roads for residential development. This is also the proposed golf course site. The City of Houghton is currently developing a subdivision directly on stamp sand inside the city limits with no remediation whatsoever. **“Stamp sand” is generally considered to be an environmental problem, but not a health problem.** In any case, it has been totally covered by EPA and is currently in the process of being delisted by EPA as a contaminated site.*

It would be wonderful if this beautiful area could be considered “non-hazardous” and be sold making the claim that it is truly not a health problem. **However, how can it be “an environmental problem, but not a health problem”? It is not logical that such a blanket statement can be drawn and potential investors and buyers need to know what is at stake.**

I am asking that you withdraw the amendment to classify stamp sand as non-toxic or hazardous as an elected official, who is charged with representing all his constituents and protecting them from potential health hazards.

I would like a personal response from you in regards to this issue, not a form letter. Thank-you very much for your attention to this request.

Respectfully,

Linda Rulison,
on behalf of FOLK, Friends of the Land of Keweenaw